



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, Wireless Telecommunications Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *i2way Corporation v. FCC & USA*, No. 04-1174. Filing of a Petition for Review in the United States Court of Appeals for the District of Columbia Circuit.

DATE: June 18, 2004

This is to advise you that, on June 4, 2004, i2way Corporation ("i2way") filed a Petition for Review in the U.S. Court of Appeals for the D.C. Circuit, pursuant to 47 U.S.C. 402(a), of the following order: *In the Matters of i2way Request for Declaratory Ruling Regarding the Ten-Channel Limit of Section 90.187(e) of the Commission's Rules and Hexagram Petition to Deny i2way Applications*, WT Docket No. 02-196, Memorandum Opinion and Order, 19 FCC Rcd 8460 (2004).

i2way is seeking review of the above-referenced decision in which the Commission interpreted 47 C.F.R. 90.187(e) as limiting, in addition to the number of channels that can be applied for in a single application, the number of applications a party can file within a single service area.

The Court has docketed this case as No. 04-1174. The attorney assigned to handle the litigation of this case is Pamela L. Smith.